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**UNITED STATES DISTRICT COURT
DISTRICT OF MONTANA
HELENA DIVISION**

MOUNTAINVIEW MEDICAL
CENTER,

Plaintiff,

v.

NEXTGEN HEALTHCARE
INFORMATION SYSTEMS, LLC,

Defendant.

Cause No. _____

**DEFENDANT'S NOTICE OF
REMOVAL**

Defendant NextGen Healthcare Information Systems, LLC (formerly NextGen Healthcare Information Systems, Inc.), notifies the Court of the removal of *Mountainview Medical Center v. NextGen Healthcare Information Systems, Inc.*, Cause No. DV-13-15 from the Montana Fourteenth Judicial District Court, Meagher County, to the United States District Court for the District of Montana,

Helena Division, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446. Defendant states the following:

1. The citizenship of the parties is diverse in that the Plaintiff is, as stated in its complaint, “a non-profit corporation organized under the laws of the State of Montana,” and the Defendant is a company organized under the laws of the State of California with its principal place of business there. The amount in controversy, as claimed by Plaintiff, exceeds the jurisdictional amount as alleged in paragraph 18 of the Plaintiff’s Complaint. This Court, therefore, has original jurisdiction of the above-entitled action pursuant to 28 U.S.C. § 1332.
2. The above-entitled cause of action is therefore proper for removal to this Court pursuant to 28 U.S.C. § 1441(a).
3. Formal service of process has not occurred in this case and Defendant received notice by receiving a copy of the Complaint as an email attachment on November 22, 2013. Defendant’s Notice of Removal is therefore timely and proper pursuant to 28 U.S.C. § 1446(b).
4. A copy of the Complaint, which is the only pleading the Defendant has received in the above-entitled action, is attached hereto as **Exhibit A**, as required by 28 U.S.C. § 1446(a).

DATED this 18th day of December, 2013.

Respectfully submitted,

TARLOW & STONECIPHER, PLLC

/s/ Margaret C. Weamer
Counsel for Defendant

CERTIFICATE OF SERVICE

I certify that on the 18th day of December, 2013, a true copy of the
Defendant's Notice of Removal was served, via US Mail, on the following:

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/s/ Margaret C. Weamer
Counsel for Defendant